

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7138 of 2021**

- Shrinath Janghel S/o Kanhaiya Lal Janghel, aged about 27 years, R/o village Vicharpur, Police Station & Tahsil Chuikhadan, District Rajnandgaon (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh, Through – Station House Officer, Police Station – Dongargarh, Outpost Mohara, District Rajnandgaon (C.G.) (as per final report)

---- Respondent

For Applicant	:	Mr. Abhishek Sharma, Advocate
For Respondent/State	:	Mr. Anurag Verma, P.L.

Hon'ble Smt Justice Rajani Dubey**Order on Board****25/10/2021**

1. The applicant has preferred this **First** bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is arrested in connection with Crime No.441/2021, registered at Police Station – Dongargarh, Outpost Mohara, District Rajnandgaon (C.G.) for the offence punishable under Sections 457 and 380 IPC.
2. The allegation against the present applicant is that on 27.07.2021 when the priest of Bhawani Temple at Karela in Dongargarh, had gone to take water, he committed theft of silver and golden ornaments of goddesses. During investigation, memorandum statement of co-accused person has been recorded in which he confessed to have committed the offence, based on this, FIR has been registered against the present applicant. The present applicant has been taken into custody on 27.07.2021.
3. Learned counsel for the applicant submits that the applicant

has been falsely implicated in the crime in question. He also submits that the applicant has no criminal antecedent and he has been implicated in the crime in question only on the basis of memorandum statement. He next submits that the applicant is in custody since 27.07.2021, charge sheet has been filed, there is no likelihood of his case being decided in near future and, therefore, he may be released on regular bail.

4. On the other hand, learned counsel for the State opposed the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the totality of the facts and circumstances of the case, nature of offence and further considering the fact that the applicant is in custody since 27.07.2021 and charge sheet has been filed, without further commenting on merits of the case, I am inclined to release the applicant on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicant shall be released on bail on his executing a personal bond for a sum of Rs.50,000/- with one surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court as and when directed.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge